

**Iowa Department of Natural Resources  
Natural Resource Commission**

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**ITEM**

**12**

**DECISION**

**TOPIC**

**Notice of Intended Action - Chapter 40, Speed & Distance Zoning**

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NRC approval is requested to amend the Notice of Intended Action - Chapter 40, "Speed & Distance Zoning." This proposed amendment will provide an administrative allowance for the designation of public swimming areas at Clear Lake in Cerro Gordo County by placement of regulatory buoys. Currently two buoyed public swimming areas exist: City Beach on the north shore and State Park Beach on the south shore.

Kenneth Herring, Administrator  
Conservation and Recreation Division

Attachment: Chapter 40 Rule - Notice of Intended Action

August 9, 2007

## NATURAL RESOURCES COMMISSION[571]

### Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 40 “Boating Speed and Distance Zoning,” Iowa Administrative Code.

This amendment provides for the designation of public swimming areas at Clear Lake in Cerro Gordo County by placement of regulatory buoys in such a way as to define the swimming area.

Any person may make written comments on this proposed rule amendment on or before September 25, 2007. Such comments and written material should be directed to the Law Enforcement Bureau; Wallace State Office Building; Iowa Department of Natural Resources; 502 East 9<sup>th</sup> Street; Des Moines, Iowa 50319-0034. Persons who wish to convey their comments orally should contact Steve Dermand of the Law Enforcement Bureau at (515)281-4515.

A public hearing will be held on September 25, 2007, at 9 a.m. in the Fourth Floor West Conference Room of the Wallace State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who attend the public hearing and have special needs such as hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement section 462A3.26 Code of Iowa.

The following amendment is proposed.

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Amend 571—Chapter 40 by adopting the following new rule:

**571--40.55(462A) Zoning of Clear Lake, Cerro Gordo County.** Areas may be specifically designated for swimming with the use of regulatory buoys.

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Date

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Richard A. Leopold, Director

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